

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:

MABEL ENID PEREZ ALVARADO
Debtor

CASE NO. 10-07653-SEK

CHAPTER 13

MOTION FOR POST CONFIRMATION MODIFICATION
TO CHAPTER 13 PLAN

TO THE HONORABLE COURT:

The Debtor by means of the undersigned counsel, represents as follows:

1. The order for relief in the case at bar was entered on August 23, 2010 and an order confirming the Debtor's amended Chapter 13 Plan dated September 22, 2010, was entered on October 25, 2010 (D.E. #17).
2. The Debtor's amended Chapter 13 Plan provided for the lifting of the stay in favor of Doral Bank and Cooperativa de Ahorro y Crédito Sabaneña, both of whom had mortgages on the Debtor's previous residence located in Urb. Los Corales I, Calle Mar de Cortez #653, Dorado, Puerto Rico, whereas the original plan provided for the surrender of this realty to the above mentioned secured creditors.
3. To avoid litigation that might affect her financial rehabilitation, the Debtor wishes to file a post confirmation amended Chapter 13 Plan with the sole purpose of surrendering her share in the realty in Los Corales I to Cooperativa de Ahorro y Crédito Sabaneña and to Doral Bank.
4. A post confirmation amended Chapter 13 Plan dated March 23, 2011, is being filed herewith.

WHEREFORE, the Debtor respectfully prays from this Honorable Court that it take notice of the post confirmation modified Chapter 13 Plan dated March 23, 2011, being filed herewith and, should no opposition be filed within the allowed time frame, enter an order confirming same.

NOTICE

Parties in interest are notified that they have twenty (20) days from receipt of this motion and annexed post confirmation modified Chapter 13 Plan dated March 23, 2011, to object

in writing to the proposed modification of the Plan. Absent good cause, untimely motions will be denied.

CERTIFICATE OF SERVICE

I CERTIFY: That on this same date, a true and identical copy of this motion and annexes has been sent by first class mail, postage pre-paid, to all creditors listed on the annexed Master Address List and by electronic mail (CM/ECF); to Alejandro Oliveras Rivera, Esq., Chapter 13 Trustee and to Monsita Lecaroz Arribas, Esq., US Trustee.

In Vega Baja, Puerto Rico, this 23rd day of March 2011.

Respectfully submitted: /s/Roque Román Pérez
ROQUE ROMAN PEREZ
USDC-PR 203605
For the Debtor
PO Box 2473
Vega Baja, PR 00694
Tel. 787-855-3574
Fax 787-858-6367
roqueromanperez@yahoo.com

IN RE: Mabel Enid Pérez Alvarado

Chapter 13

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____ <input type="checkbox"/> PRE <input checked="" type="checkbox"/> POST-CONFIRMATION	AMENDED-PLAN DATED: _____ Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other
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I. PAYMENT PLAN SCHEDULE <div style="border-bottom: 1px solid black; margin-bottom: 5px;">\$ <u>1,681.00</u> x <u>1</u> = \$ <u>1,681.00</u></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">\$ <u>1,441.00</u> x <u>59</u> = \$ <u>96,819.00</u></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">\$ _____ x _____ = \$ _____</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">\$ _____ x _____ = \$ _____</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">\$ _____ x _____ = \$ _____</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">\$ _____ x _____ = \$ _____</div> <div style="text-align: right; margin-top: 20px;">TOTAL: \$ <u>98,500.00</u></div> <div style="margin-top: 20px;"> Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from: _____ <input type="checkbox"/> Sale of Property identified as follows: _____ <input type="checkbox"/> Other: _____ </div> <div style="margin-top: 20px;"> Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____ </div> <div style="text-align: right; margin-top: 20px;">PROPOSED BASE: \$ <u>98,500.00</u></div>	II. DISBURSEMENT SCHEDULE A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input type="checkbox"/> Trustee pays secured ARREARS: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Cr. _____</td> <td style="width: 33%;">Cr. _____</td> <td style="width: 33%;">Cr. _____</td> </tr> <tr> <td># _____</td> <td># _____</td> <td># _____</td> </tr> <tr> <td>\$ _____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table> 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Cr. <u>BMW Fin. Serv.</u></td> <td style="width: 33%;">Cr. _____</td> <td style="width: 33%;">Cr. _____</td> </tr> <tr> <td># _____</td> <td># _____</td> <td># _____</td> </tr> <tr> <td>\$ _____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table> 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Cr. _____</td> <td style="width: 33%;">Cr. _____</td> <td style="width: 33%;">Cr. _____</td> </tr> <tr> <td># _____</td> <td># _____</td> <td># _____</td> </tr> <tr> <td>\$ _____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table> 4. <input checked="" type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: <u>Shares to Coop A/c Sabana, Debtor's former residence in Paseo Los Corales</u> 5. <input type="checkbox"/> Other: <u>I to Doral Bank & Coop A/c Sabana.</u> 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: <u>Danco Popular</u> C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Cr. _____</td> <td style="width: 33%;">Cr. _____</td> <td style="width: 33%;">Cr. _____</td> </tr> <tr> <td># _____</td> <td># _____</td> <td># _____</td> </tr> <tr> <td>\$ _____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table> 2. Unsecured Claims otherwise receive PRO-RATA disbursements. OTHER PROVISIONS: <i>(Executory contracts; payment of interest to unsecureds, etc.)</i> - Attorney's fees to be paid as an administrative expense, prior to secured claims - Any income tax returns or funds of a similar nature received by the Debtor during the life of the Plan will be tendered to the Trustee and the Plan will be automatically amended. <div style="text-align: center;">(see continuation sheet)</div>	Cr. _____	Cr. _____	Cr. _____	# _____	# _____	# _____	\$ _____	\$ _____	\$ _____	Cr. <u>BMW Fin. Serv.</u>	Cr. _____	Cr. _____	# _____	# _____	# _____	\$ _____	\$ _____	\$ _____	Cr. _____	Cr. _____	Cr. _____	# _____	# _____	# _____	\$ _____	\$ _____	\$ _____	Cr. _____	Cr. _____	Cr. _____	# _____	# _____	# _____	\$ _____	\$ _____	\$ _____
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III. ATTORNEY'S FEES (Treated as § 507 Priorities) Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>3,000.00</u>	Signed: <u>/s/ Michel Perez Alvarado</u> Debtor Joint Debtor
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Attorney for Debtor /s/ Roque Román Pérez

Phone: 787-855-3574

CHAPTER 13 PAYMENT PLAN

Continuation Sheet-Page 1 of 1

- Creditors that do not file a timely objection to the proposed Chapter 13 Plan will be deemed to have waived their right to equal monthly amount payments.
- Allowed general unsecured claims to be paid 100% plus 6% per annum interest.
- Double interest insurance with Eastern America for BMW Financial Services upon maturity (06-30-2011)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:

CASE NO. 10-07653-SEK

MABEL PEREZ ALVAARADO
Debtor

CHAPTER 13

CERTIFICATE OF SERVICE

TO THE HONORABLE COURT:

The Debtor, by means of the undersigned counsel, represents as follows:

1. On this same date, a true and identical copy of the Debtor's post confirmation amended proposed Chapter 13 Plan dated March 23, 2011, has been sent by first class mail, postage pre-paid, to all creditors listed on the annexed Master Address List and by electronic mail (CM/ECF) to Alejandro Oliveras Rivera, Esq., Chapter 13 Trustee and to Monsita Lecaroz Arribas, Esq., US Trustee.

WHEREFORE, the Debtor respectfully requests from this Honorable Court that it take notice of the fact that on this same date, a true and identical copy of this Certificate of Service and of the Debtor's pre confirmation amended proposed Chapter 13 Plan dated March 23, 2011, has been sent by first class mail, postage pre-paid, to all creditors listed on the annexed Creditor Mailing Matrix; and by electronic mail (EM/ECF) to Alejandro Oliveras Rivera, Esq., Chapter 13 Trustee and to Monsita Lecaroz Arribas, Esq., US Trustee.

In Vega Baja, Puerto Rico, this 23rd day of March 2011.

Respectfully submitted: /s/Roque Román Pérez
Roque Román Pérez
USDC-PR 203605
For the Debtor
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CREDITOR MAILING MATRIX

Label Matrix for local noticing
0104-3
Case 10-07653-SEK13
District of Puerto Rico
Old San Juan
Mon Sep 20 14:09:28 AST 2010

US TRUSTEE
EDIFICIO OCHOA
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901-1938

BANCO POPULAR
PO BOX 71375
SAN JUAN, PR 00936-8475

COOP. A/C SABANENA
PO BOX 609
SABANA GRANDE, PR 00637-0609

EASTERN AMERICA INSURANCE COMPANY
PO BOX 9023862
SAN JUAN, PR 00902-3862

ASCENCION CAPITAL GROUP, INC.
ATTN: BMW FINANCIAL SERVICES NA, LLC DEPARTMENT
PO BOX 201347
ARLINGTON, TX 76006

DEPARTAMENTO DE HACIENDA
PO BOX 9024140
OFICINA 424-B
SAN JUAN, PR 00902-4140

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San Juan, PR 00901-1964

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PO BOX 15028
WILMINGTON, DE 19850-5028

DORAL BANK
P.O. Box 70308
SAN JUAN, PR 00936-8308

FIA Card Services aka Bank of America
c/o Becket and Lee LLP
POB 3001
Malvern PA 19355-0701

PR DEPARTMENT OF LABOR
PRUDENCIO RIVERA MARTINEZ BLDG
505 MUNOZ RIVERA AVENUE
12 FLOOR
SAN JUAN, PR 00918

AMERICAN EXPRESS
PO BOX 1270
NEWARK, NJ 07101-1270

(p)BMW FINANCIAL SERVICES
CUSTOMER SERVICE CENTER
PO BOX 3608
DUBLIN OH 43016-0306

DORAL BANK
PO BOX 71528
SAN JUAN, PR 00936-8628

FIRST PREMIER BANK
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